



1/20/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Martin et al.

Serial No. 10/717,049

Conf. No.: Unassigned.

Cust. No.: 24961

Filed: November 18, 2003

For: **HETEROCYCLIC
MODULATORS OF NUCLEAR
RECEPTORS**

Art Unit: Unassigned.

Examiner: Unassigned

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Mail Stop - Non-Fee Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

01/16/04

Date

Jonathan Orr

TRANSMITTAL LETTER

Mail Stop - Non-Fee Amendment
Commissioner for Patents
US Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313

Sir:

Transmitted herewith is a Preliminary Amendment for filing in connection with the above-identified application. Because this Preliminary Amendment is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 50-1213, as stated below:

The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §§ 1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:


Dale L. Rieger
Registration No. 43,045

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Date

Jonathan Ong

PRELIMINARY AMENDMENT

Mail Stop - Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In advance of the first examination in the above-identified patent application, Applicants request amendment in accordance with 37 C.F.R. § 1.121, as follows:

Amendments to the Claims are reflected in the listing of the Claims which begins on page 2 of this paper.

Remarks begin on page 78 of this paper.